

MEETINGS TO DATE 9
NO. OF REGULARS 7
NO. OF SPECIALS 2

LANCASTER, NEW YORK
APRIL 1, 1974

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 1st day of April, 1974 at 8:00 P.M. and there were

PRESENT: JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: LEO N. WEIMER, SUPERVISOR

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF
WILLIAM F. DOUGHERTY, JR., BUILDING INSPECTOR
JOHN M. COSTELLO, ASSESSOR III

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster one (1) self-propelled asphalt paver.

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BERENT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>	<u>BID</u>	
1. Trac-Machinery Corporation 12 State Street Nunda, New York 14517	\$ 25,360.00	(No Bid Security Enclosed)
2. P-D Service, Inc. 1869 Harlem Road Buffalo, New York 14212	\$ 24,000.00	

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Highway Superintendent for examination, tabulation, and recommendation.

COMMITTEE REPORTS:

Councilman Berent, for the Fire Committee, reported that the Fire Liaison Study Committee met on March 25, 1974 and heard a speaker from the New York State Fire Insurance Rating Organization who provided the Committee with much data on rate composition and fire protection for the Town of Lancaster.

Councilman Berent requested the Town Clerk to notify all Committee Members that the next meeting of the Committee is scheduled for Monday, April 29, 1974 at 7:00 P.M. at the Town Hall.

BID OPENING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster one (1) trailer type power rodder with 14 hp gasoline engine.

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:10 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>	<u>BID</u>
1. Conco Inc. O'Brien Manufacturing Division 5632-50 Northwest Highway Chicago, Illinois 60646	\$ 4,461.00

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BERENT, AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Highway Superintendent for examination, tabulation, and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following department of the Town of Lancaster has filed with him their Monthly Report as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Dog Warden	March, 1974

The Town Clerk reported that the following Commission of the Town of Lancaster has filed with him minutes of their meeting as follows:

Recreation Commission	February 20, 1974
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PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held on March 18, 1974, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	WAS ABSENT

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The resolution was thereupon unanimously adopted.

April 1, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

RESOLVED, that the following transfers in the Funds as indicated
of the Town or Lancaster be effected:

	<u>Account</u>	<u>To</u> <u>Amount</u>	<u>From</u> <u>Account</u>	<u>Amount</u>
<u>General Fund</u>				
Unallocated Insurance	10.1910	\$ 3500.00	10.1990	\$ 3500.00
Contingent Account				
Tax Collection-General	10.1330.470	500.00	10.1670.470	500.00
General Printing				
Capital Fund	H 2810	12,600.00	0909.1	12,600.00
Unappropriated Fund				
Balance				
Capital Fund	H 2810	26,010.87	9550.900	26,010.87
Fed.Rev.Sharing Fund				

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED WAS ABSENT

*This portion recorded
5-6-74 RPH*

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The resolution was thereupon unanimously adopted.

April 1, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Town of Lancaster, on behalf of Sanitary Sewer District No. 2, has contracted with the Village of Lancaster for sewer service for the equivalent of 625 dwelling units in addition to the flow from the Lancaster High School, and

WHEREAS, the Erie County Health Commissioner's moratorium on additional sewer taps within the Village of Lancaster, pursuant to Article IV-A of the Erie County Sanitary Code, has been amended to provide for ten (10) sewer taps per month to the Village of Lancaster and districts tributary thereto, and

WHEREAS, investigation by the Town of Lancaster reveals Town Sanitary Sewer District No. 2 has a remaining contractual right to 63 equivalent taps, and

WHEREAS, such contractual obligation and right should be recognized by the Village of Lancaster in the allocation of additional monthly sewer taps,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster request the Village of Lancaster to recognize its contractual obligation to provide an equitable portion of its monthly taps allowed by the Erie County Health Department to the Town of Lancaster Sanitary Sewer District No. 2, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Village Board of the Village of Lancaster requesting an early meeting of the Sewer Committee of the Town Board with representatives of the Village of Lancaster in order to resolve this matter and reach an equitable determination thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	WAS ABSENT

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The resolution was thereupon unanimously adopted.

April 1, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts:

<u>ACCOUNTS</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 278 to 354 Incl.	\$ 44,100.86
Special District Funds	No. 25 to 31 Incl.	\$ 45,935.87
Part Town Funds	No. 27 to 31 Incl.	\$ 876.28
Highway Funds	No. 82 to 82 Incl.	\$ 6,691.17
Federal Revenue Sharing,	No. 23 to 24 Incl.	\$126,010.87

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	WAS ABSENT

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The resolution was thereupon unanimously adopted.

April 1, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, by letter of March 19, 1974, the Assessor of the Town of Lancaster has requested authorization for himself and the Deputy Assessor to attend the Northeast Regional Conference of Assessing Officers to be held at McAfee, New Jersey, May 19 through May 23, 1974, and

WHEREAS, it is deemed in the public interest that such attendance be authorized in view of the wide range of assessing problems to be discussed,

NOW, THEREFORE, BE IT

RESOLVED, that the Assessor and Deputy Assessor be and hereby are authorized to attend the Northeast Regional Conference of Assessing Officers to be held at McAfee, New Jersey, May 19 through May 23, 1974, with reimbursement for actual and necessary expenses not to exceed \$200.00 each, plus mileage for use of the Assessor's car.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	WAS ABSENT

The resolution was thereupon ^{duly} unanimously adopted.

April 1, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
16	Guhl & Weir	2 Pauline Court	ER. FR. PT. BR. VEN. SING DWLG. PVT. GAR.
17	Ronald Mayer	728 Ransom Road	ER. FR. PVT. GAR.
18	Edna Lesswing	5247 Genesee Street	ADD FIBERGLASS SIGN ON EXISTING SIGN
19	Frame Bldrs.	300 Seneca	ER. FR. PVT. GAR.
20	Arline Heffle	228 Ransom Road	ER. FR. BR. VEN. SING. DWLG. PVT. GAR.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED WAS ABSENT

~~and~~
The resolution was thereupon unanimously adopted.

April 1, 1974

STATUS REPORTS ON UNFINISHED BUSINESS:1. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

2. Cayuga Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

3. Tax Abatement - Police Services - County Sheriff's Department

On September 27, 1973 the Assistant County Attorney transmitted to the Town of Lancaster a copy of the most recent Comptroller's opinions relative to this type of tax abatement.

The Town Attorney was directed to review the opinions and report back to the Town Board.

On March 4, 1974 the Town Clerk was directed to obtain a status report on this item.

4. Traffic Study - Reduced Speed - Bowen Road

On February 19, 1974 the New York State Department of Transportation notified the Town Board that they had completed their study of this matter and that they are denying the Towns request for a reduced speed on Bowen Road.

The Town Clerk was directed to remove this item from the future agendas of the Town Board.

5. Rezone Petition - John and Clementine Golaszewski - Transit Road

On January 21, 1974 this petition was presented to the Town Board and referred to the Planning Board for review and report.

6. Traffic Study - Signalization - Bowen and William - Walden and Ransom

On January 14, 1974 the County Deputy Commissioner of Highways reported that the traffic study of these two (2) locations indicated a need for a traffic control device at both locations.

7. Permit Application - Lancaster Sanitary Land Fill

On January 21, 1974 this petition was presented to the Town Board and referred to the Planning Board and Environmental Conservation Commission for study and report.

PERSONS ADDRESSING THE TOWN BOARD:

Mr. Jerry F. Kline, 5032 William Street, Lancaster, New York, asked the Town Boards assistance in alleviating a surface water drainage problem which he and his neighbors have been plagued with since 1954.

Councilman Metz and the Town Attorney informed Mr. Kline that they are presently working on this problem, that they are attempting to procure the necessary easement for cleaning of a drainage ditch across the Schiffler property, and that they will do all they can to alleviate this situation.

COMMUNICATIONS:

DISPOSITION

98. Town Clerk to Town Board - Resume of actions taken in response to resolutions and directions - Meeting of March 18, 1974.	R & F
99. Assessor to Town Board - Request authorization to attend Northeast Regional Conference of Assessing Officers in McAfee, New Jersey, May 19th through May 23rd, 1974.	R & F
100. Highway Superintendent to Town Board - Request authorization to purchase 1 Crawler Loader with bucket, boom, and trailer.	Town Clerk
101. Town Clerk to Town Board - Final Report of 1974 Delinquent Dog Actions.	R & F
102. Secretary, Lancaster Fire Council to Town Board - Request elimination of duplicate street names within Town.	Police Chief Town Clerk
103. Department of the Army to Supervisor - Transmittal - Summary Report - Ellicott Creek Basin.	R & F
104. Erie & Niagara Counties Regional Planning Board to Supervisor - Transmittal - Document titled, "Atlas of Regional Plans and Programs, November, 1973".	Planning Brd. Sec'y. Rec. Comm. Chairman R & F
105. Deputy Commissioner, Environmental Health Services to Town Attorney - Notification - Request County Attorney to draft amendment concerning new tap-ins to Lancaster Village sewerage system - Town Library.	R & F
106. Lancaster Village Attorney to Town Board - Advise refraining additional sewer tap-ins within boundaries of Village of Lancaster contractual districts.	R & F
107. Assemblyman Volker to Town Clerk - Acknowledgement - Receipt of letter regarding Assemblyman LaFalce's legislation modifying the five-year residency requirement for tax relief to elderly real property owners.	Supervisor R & F
108. Town Attorney to County Deputy Highway Commissioner - Confirmation of meeting scheduled for April 22, 1974 regarding maintenance of certain bridges and County road networks.	R & F
109. Residents of Lake Avenue and William Street Area to Town Board - Drainage - Flooding problems on Lake Avenue and William Street - surface water.	Investigating Committee

COMMUNICATIONS:

DISPOSITION

110. State Drug Abuse Control Commission to Supervisor Weimer -
Workshop meeting - April 8, 1974 to discuss problems, possible programs, and new developments in area of drug abuse prevention and education.
111. Supervisor to Town Board -
\$100,000.00 Investment at Marine Midland Bank-Western on March 29 for total dollar earnings of \$818.92.
112. Town Attorney to Town Board -
Recommendation - Advise Village Board of right to portion of additional sewerage taps allowed by Erie County Health Dept.

Police Chief
Narc. Guid. Counc. Chairm.

R & F


R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 8:37 P.M. out of respect to:

MARION MAY

Signed


Robert P. Thill, Town Clerk